

# AUSTIN CITY COUNCIL AGENDA

**THURSDAY, MARCH 03, 2005, THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST  
2ND STREET, AUSTIN, TEXAS.**



AUSTIN CITY CLERK  
POSTING DATE/TIME

05 FEB 25 PM 1:36

**For meeting information, contact the City Clerk, 974-2210**

**THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE  
AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND  
EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.  
FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.**

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**WILL WYNN, MAYOR ♦ JACKIE GOODMAN, MAYOR PRO TEM ♦ DARYL SLUSHER  
RAUL ALVAREZ ♦ BETTY DUNKERLEY ♦ BREWSTER MCCrackEN ♦ DANNY THOMAS**

**NOTICE OF REGULAR MEETING  
THURSDAY, MARCH 03, 2005**

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3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene. ....	18
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**9:55 A.M. Invocation**

Imam Razi, Islamic Ahlulbayt Association

**10:00 A.M. City Council Convenes**

**THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, MARCH 03, 2005, IN THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST 2ND STREET, AUSTIN, TEXAS.**

**The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.**

**READING AND ACTION ON CONSENT AGENDA****ACTION ON THE FOLLOWING:**

**ORDINANCES / RESOLUTIONS / MOTIONS - All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**Meeting Minutes**

1. Approval of minutes from the meeting of February 17, 2005.

**Austin Energy**

2. Authorize negotiation and execution of an agreement with Texas Commission on Environmental Quality (TCEQ) for Federal Environmental Protection Agency (EPA) Mobile Source Outreach Assistance grant funding in the amount of \$60,300 for a "Drive Clean, Park Free" project. (Funding is available from EPA Mobile Source Outreach Assistance Funding administered by TCEQ. Funding in the amount of \$40,200 in local matching funds for the grant year is available in the 2004-2005 Operating Budgets of the following Departments: \$20,200 from Austin Energy, \$20,000 from Public Works Department.)

**City Clerk's Office**

3. Receive the city clerk's certification of the result of her examination of the initiative petition filed February 1, 2005, and supplemented on February 22, 2005, submitted with an initiated ordinance entitled "An Ordinance Repealing and Replacing City Code Chapter 10-6 Relating to Smoking in Public Places, Creating Offenses, and Providing Penalties."
4. Consideration of and possible action on an initiated ordinance entitled "An Ordinance Repealing and Replacing City Code Chapter 10-6 Relating to Smoking in Public Places, Creating Offenses, and Providing Penalties."
5. Consideration of and possible action on an ordinance ordering a special municipal election to be held on May 7, 2005, to submit to the voters of the city without amendment an initiated ordinance entitled "An Ordinance Repealing and Replacing City Code Chapter 10-6 Relating to Smoking in Public Places, Creating Offenses, and Providing Penalties," providing for the conduct of the election, and authorizing the City Clerk to enter such joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election.

**Fire**

6. Adopt an ordinance to establish classifications and positions in the classified service of the Austin Fire Department and repeal Ordinance No. 050113-04.

**Health and Human Services**

7. Approve an ordinance authorizing acceptance of \$54,353 in grant funds from the Texas Department of State Health Services through the Centers for Disease Control Sexually Transmitted Disease Control; amending the Fiscal Year 2004-2005 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No 040913-01 to appropriate \$54,353 for a total grant amount of \$193,655 for the control and prevention of sexually transmitted diseases; and accept the transfer of one full-time equivalent position from the HIV Prevention grant to the Sexually Transmitted Disease grant and reduce the HIV Prevention grant by one full-time equivalent position. (Funding in the amount of \$54,353 is included in the Fiscal Year 2004-2005 Approved Operating Budget of the Health and Human Services Special Revenue Fund in the HIV Prevention grant from the Texas Department of State Health Services through the Centers for Disease Control Sexually Transmitted Disease Control grant program. The grant period is from January 1, 2005 through December 31, 2005. No City match is required.)
8. Approve an ordinance authorizing acceptance of grant funds in the amount of \$332,627 from the Texas Department of State Health Services, Immunization Branch and amending the Fiscal Year 2004-2005 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 040913-01 to appropriate \$332,627 for a total grant amount of \$838,424 for the Community Immunization program to provide vaccination and immunization services in order to prevent and reduce the incidence of vaccine preventable diseases. (Funding in the amount of \$332,627 is available from the Texas Department of State Health Services, Immunization Branch. The revised grant period is from January 1, 2004 through August 31, 2005. No City match is required.)
9. Approve an ordinance amending the Fiscal Year 2004-2005 Health and Human Services Operating Budget Travis County Reimbursed Fund of Ordinance No.040913-01, by increasing revenue from Travis County in the amount of \$83,634, and increasing operating expenditures in the amount of \$83,634 for summer youth employment stipends. (\$83,634 in increased expense reimbursement revenue from Travis County.)

**Human Resources**

10. Adopt a resolution amending the Personnel Policies to authorize Austin Police Department (APD) employees assigned by the Chief of Police to perform security coordinator duties at the APD headquarters to carry weapons while on duty. (Related Item 17)

**Law**

11. Authorize negotiation and execution of an outside counsel contract with DENTON, NAVARRO, ROCHA & BERNAL, P.C., San Antonio, TX, for representing the City as chief negotiator and legal co-counsel in matters relating to labor negotiations for a Collective Bargaining contract with the Austin Professional Fire Fighters Association in the amount of \$95,000 (Funding in the amount of \$95,000 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Fire Department.)

**Neighborhood Planning and Zoning**

12. Approve an ordinance amending Chapters 25-1, 25-2 and 25-6 of the Land Development Code to establish Transit Oriented Development districts, and adopting zoning and other regulations applicable in those districts. (Reviewed by Urban Transportation Commission, Design Commission, Planning Commission, and the Zoning and Platting Commission.) (Related Item 13)
13. Approve a resolution to establish goals for affordable housing in Transit Oriented Development (TOD) districts and Station Area Plans. (Related Item 12)

**Parks and Recreation**

14. Approve execution of Change Order #4 to the construction contract with PRISM DEVELOPMENT, INC. (MBE/MH 42.40 %) Austin, TX, for additional materials installed in Chestnut Park, in an amount not to exceed \$31,666.33, for a total contract amount not to exceed \$386,806.11. (Funding in the amount of \$31,666.33 is available in the Fiscal Year 2004-2005 Capital Budget of the Parks and Recreation Department.) 23.31 % MBE and 5.34 % WBE subcontractor participation to date

**Police**

15. Approve a resolution authorizing application for \$44,219 in continuation grant funding from the State of Texas, Governor's Office, Criminal Justice Division to fund one full-time equivalent (FTE) Detective position in the Sex Offender Apprehension and Registration (SOAR) Unit. (Funding is available from the State of Texas, Governor's Office, Criminal Justice Division, for the grant period September 1, 2005 to August 31, 2006. This is the fourth year of a five-year grant. A cash match of \$44,294 is required and will be proposed in the Fiscal Year 2005-2006 Operating Budget of the Austin Police Department.)

16. Approve a resolution authorizing application for \$80,000 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the renewal of Austin Police Department project entitled "Assistance to Female Victims of Domestic Violence." (Funding is available from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the grant period September 1, 2005 -August 31, 2006. A cash match of \$36,883 is required and will be met by continuing the existing salary funding and additional personnel expenses for grant funded FTEs to be proposed in the Fiscal Year 2005-2006 Operating Budget for the Austin Police Department (APD), Victim Services Program.)
17. Approve an ordinance amending Chapter 9-6 of the City Code by creating a new exception in Section 9-6-4 to authorize the carrying of a firearm on the premises of the Austin Police Department by retired peace officers employed by the police department. (Related Item 10)

### Public Works

18. Approve a resolution authorizing the filing of eminent domain proceedings for the Little Walnut/Buttermilk at 290 and 183 project of the Austin Clean Water Program to acquire a permanent wastewater line easement containing 26,981 square feet of land, a temporary working space easement containing 6,486 square feet of land, and a permanent access easement containing 52,184 square feet of land, all out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, in the amount of \$135,842. The owner of the property interests sought to be acquired is ALLIANCE FHW LIMITED PARTNERSHIP, Northbrook, Illinois. The property is located at 1901 Anderson Lane, Austin, Texas. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.)
19. Authorize an increase in the design-build agreement for the Austin-Bergstrom International Airport (ABIA) Terminal Baggage Screening Improvements with HENSEL PHELPS CONSTRUCTION CO., Austin, TX, in the amount of \$7,000,000 for a total agreement amount not to exceed \$21,500,000. (Funding in the amount of \$7,000,000 is included in the Fiscal Year 2004-2005 Approved Capital Budget of the Aviation Department.) 19.89% DBE participation to date.
20. Approve a resolution authorizing execution of a construction contract with PRISM DEVELOPMENT, INC., (MBE/MH 58.3%), Austin, TX for Pleasant Valley Bike Route Phase 2 Re-Bid in an amount not to exceed \$425,083.75. (Funding in the amount of \$425,083.75 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Public Works Department.) Lowest bid of three received. 18.5% MBE and 8.7% WBE subcontractor participation.

21. Authorize execution of a construction contract with CAPITAL EXCAVATION COMPANY, Austin, TX for the Pleasant Valley Road Rehabilitation and Bike Lane Improvements Project from East Oltorf to Lakeshore Boulevard in the amount of \$2,598,760.11 plus a \$129,938 contingency, for a total contract amount not to exceed \$2,728,698.11. (Funding in the amount of \$2,682,709.65 is available in the Fiscal Year 2004-2005 Capital Budget of the Public Works Department and \$45,988.46 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) The only responsive bid of three bids received. 43.18% DBE subcontractors participation.
22. Approve an ordinance on first reading only to renew the ROYS TAXI, INC. taxicab franchise. (The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$62,000.)

### Purchasing

23. Authorize execution of a 12-month service agreement with KINECTRICS INC., Toronto, Canada for testing of conductors and insulators in an amount not to exceed \$100,000, with three 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total agreement amount not to exceed \$400,000. (Funding in the amount of \$50,000 is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Best evaluated proposal of two received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.
24. Authorize execution of a 12-month supply agreement with SHARP ELECTRONICS CORPORATION, Huntington Beach, CA, for photovoltaic modules and power conditioning equipment in an amount not to exceed \$251,326.40, with two 12-month extension options in an amount not to exceed \$502,652.80 for the first option and \$351,857.34 for the second option, for a total agreement amount not to exceed \$1,105,836.54. (Funding in the amount of \$251,326.40 is available in the Fiscal Year 2004-2005 Approved Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) Lowest bid meeting specification of eight bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

25. Authorize execution of Amendment No. 6 to the contract with MOTOROLA INC., Austin TX, to set up and install the latest versions of Customer Service Request software used in the Customer Information Center, in an amount not to exceed \$183,490, for a revised total amount not to exceed \$817,484. (Funding is available in Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy.) This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
26. Authorize execution of a 12-month supply agreement with TECHLINE, INC., Austin, TX, for ornamental lighting in an amount not to exceed \$756,520, with four 12-month extension options in an amount not to exceed \$756,520 per extension option, for a total agreement amount not to exceed \$3,782,600. (Funding in the amount of \$756,520 is available in the Fiscal Year 2004-2005 Approved Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
27. Authorize execution of a 12-month supply agreement with SHUMAKER READY MIX, LLC, Del Valle, TX for structural concrete in an amount not to exceed \$305,000, with four 12-month extension options in an amount not to exceed \$305,000 per extension option, for a total agreement amount not to exceed \$1,525,000. (Funding in the amount of \$152,500 is available in the Fiscal Year 2004-2005 Amended Operating Budget of Austin Energy. Funding for the remaining six months of the original contract period and extension option is contingent upon available funding in future budgets.) Low bid of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

28. Authorize execution of two 12-month supply agreements with MS TECHLINE PIPE L.L.P., Austin, TX and NATIONAL WATERWORKS, Austin, TX for gate valves of various types and sizes in amounts not to exceed \$112,344.43 and \$93,551.22 respectively, with two 12-month extension options in amounts not to exceed \$112,344.43 and \$93,551.22 respectively per extension option, for total agreement amounts not to exceed \$337,033.29 and \$280,653.66. (Funding in the amount of \$102,947.83 is available in Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining six months and extension option is contingent upon available funding in future budgets.) Lowest bids of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
29. Authorize execution of a contract with PATTERSON PUMP CO., INC. Toccoa, GA, for vertically mounted, end suction, and centrifugal pumps in an amount not to exceed \$124,446. (Funding is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) One bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
30. Authorize execution of a 3-month supply agreement with CHLOR-SERV, INC, Hutto, TX, (WBE/FR-100%) for liquid sodium hypochlorite for the Austin Water Utility in an amount not to exceed \$90,000, with one 3-month extension option in an amount not to exceed \$90,000, for a total agreement amount not to exceed \$180,000. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility.) Lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
31. Authorize execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with MUNICIPAL EMERGENCY SERVICES, INC. d/b/a MES-FOUR ALARM, Euless, TX, for thermal imagers in an amount not to exceed \$145,770.75. (Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Austin Fire Department.) Purchasing Cooperative.

32. Authorize negotiation and execution of a 12-month interlocal agreement with the UNIVERSITY OF TEXAS AT AUSTIN GRADUATE SCHOOL OF HEALTH AND KINESIOLOGY, Austin, TX, for a 14-week remedial strength training research program for the Austin Fire Department Training Academy in an amount not to exceed \$30,018, with two 12-month extension options in an amount not to exceed \$30,018 per extension option, for a total agreement amount not to exceed \$90,054. (Funding in the amount of \$17,510 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Fire Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Interlocal Agreement
33. Authorize execution of a 12-month service agreement with TWO DAY AUTO BODY, Austin, TX, C & C COLLISION, Waco, TX, MAACO AUTO PAINTING BODY WORKS, Austin, TX, AR CUSTOM PAINT, Austin, TX and NETWORK AUTO BODY AND PAINT SHOP, Austin, TX, for auto body repair services for Fleet Services in an amount not to exceed \$700,000, with three 12-month extension options in an amount not to exceed \$700,000 per extension option, for a combined total agreement amount not to exceed \$2,800,000. (Funding in the amount of \$408,333 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Finance and Administrative Services Department, Fleet Fund. Funding for the remaining five months of the original contract period the extension options is contingent upon available funding in future budgets.) Lowest bids of seven bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
34. Authorize execution of a contract through the State of Texas, Texas Building and Procurement Commission, with HAWORTH INCORPORATED, Austin, TX, and their authorized distributor FURNITURE MARKETING GROUP, Austin, TX, for the purchase and installation of modular systems for built-in cubicle arrangements including wall panels, desk tops, and cabinets in an amount not to exceed \$164,414.44. (Funding in the amount of \$146,056.90 is available in the Fiscal Year 2004-2005 Approved One Texas Center Fund of the Financial Services Department. Funding in the amount of \$18,357.54 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Economic Growth and Redevelopment Services Department.) Purchasing Cooperative.

35. Authorize execution of a contract through the U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE with HAWORTH INCORPORATED, Austin, TX, and their authorized distributor FURNITURE MARKETING GROUP, Austin, TX, for the purchase and installation of work surfaces, office chairs, tables and keyboard trays in an amount not to exceed \$68,071.51. (Funding in the amount of \$57,791.83 is available in the Fiscal Year 2004-2005 Approved One Texas Center Fund of the Financial Services Department. Funding in the amount of \$10,279.68 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Economic Growth and Redevelopment Services Department.) Purchasing Cooperative.
36. Authorize execution of a 24-month Interlocal Agreement with Capital Metropolitan Transportation Authority (CapitalMetro) for the City to provide production and cablecasting of Capital Metro Board of Directors meetings on Channel 6, with two 12-month extension options. Capital Metro will pay the City \$350 per meeting over the term of the contract, for a total estimated annual revenue of \$4,200. (Revenue will be included in the Support Services Fund.) Interlocal.
37. Authorize execution of a contract with J-MAC BUILDERS, Austin, TX, for residential foundation repair and replacement services in the Holly neighborhood for the Neighborhood Housing and Community Development Department in an amount not to exceed \$48,426. (Funding is included in the Fiscal Year 2004-2005 Holly Good Neighbor Program administered by the Neighborhood Housing and Community Development Department.) Lowest bid per item of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
38. Authorize execution of a 12-month supply agreement with COOPER EQUIPMENT CO., INC., San Antonio, TX, for captive repair parts and services for asphalt pavers in an amount not to exceed \$90,000, with two 12-month extension options in an amount not to exceed \$90,000 per extension option, for a total amount not to exceed \$270,000. (Funding in the amount of \$52,500 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Transportation Fund of the Public Works Department. Funding for the remaining five months of the original contract period and the extension options is contingent upon available funding in future budgets.) One bid received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

39. Authorize execution of a 12-month supply agreement with DEERY AMERICAN CORPORATION, Grand Junction, CO, for hot applied pavement crack sealant for the Public Works Department in an amount not to exceed \$103,750, with two 12-month extension options in an amount not to exceed \$103,750 per extension option, for a total contract amount not to exceed \$311,250. (Funding in the amount of \$69,167 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Public Works Department. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
40. Authorize execution of 12 contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with: RDO EQUIPMENT CO., Pflugerville, TX, for two articulating tractor loaders, three tractor/loader/backhoes, two tractor excavators, and one dozer in an amount not to exceed \$993,437.98; COOPER EQUIPMENT CO., INC., San Antonio, TX, for one variable width chip spreader in an amount not to exceed \$191,816; VOGELE AMERICA, INC., Chambersburg, PA, for one asphalt paver in an amount not to exceed \$248,272.60; WIRTGEN AMERICA, INC., Nashville, TN, for one asphalt milling machine in an amount not to exceed \$439,481.97; HOLT CAT, Irving, TX, for one tractor compactor in an amount not to exceed \$366,770; PROFESSIONAL TURF PRODUCTS, INC., DFW Airport, TX, for four riding mowers in an amount not to exceed \$113,760.79; TYMCO INTERNATIONAL, LTD., Waco, TX, for one street sweeper in an amount not to exceed \$128,067.30; EQUIPMENT SOUTHWEST, INC., Irving, TX, for seven rear loading refuse collection bodies in an amount not to exceed \$371,029.22; RUSH TRUCK CENTER LP, Houston, TX, for two truck cab and chassis in an amount not to exceed \$101,814; HEIL OF TEXAS, Houston, TX, for one automated refuse collection body in an amount not to exceed \$89,609.49; LONGHORN INTERNATIONAL TRUCKS LTD., Austin, TX, for six truck and chassis in an amount not to exceed \$586,640.02; and with WHEELED COACH INDUSTRIES, INC., Winter Park, FL, for three ambulances in an amount not to exceed \$475,850. (Funding in the amount of \$541,730.79 is available in the Fiscal Year 2004-2005 Approved Vehicle Acquisition Fund. Funding in the amount of \$612,507.21 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Austin Water Utility. Funding in the amount of \$966,009.37 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Public Works Department. Funding in the amount of \$1,643,930.03 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Solid Waste Services Department. Funding in the amount of \$342,371.97 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Watershed Protection and Development Review Department.) Purchasing Cooperative

41. Authorize execution of a contract through the Houston-Galveston Area Council of Governments with PHILPOTT MOTORS LTD., Nederland, TX, for 81 light duty vehicles in an amount not to exceed \$2,257,229.08 (Funding in the amount of \$428,059.16 is available in the Fiscal Year 2004-2005 Approved Vehicle Acquisition Fund. Funding in the amount of \$173,804.56 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Aviation Department. Funding in the amount of \$107,312.65 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding in the amount of \$59,612.19 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Solid Waste Services Department. Funding in the amount of \$622,764.86 is available in the Fiscal Year 2004-2005 Approved Capital Budget of Austin Energy. Funding in the amount of \$697,523.99 is included in the Fiscal Year 2004-2005 Approved Capital Budget of the Austin Water Utility. Funding in the amount of \$141,089.19 is available in the Fiscal Year 2004-2005 Approved Capital Budget of Public Works Department. Funding in the amount of \$27,062.48 is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Watershed Protection Development and Review Department.) Purchasing Cooperative
  
42. Authorize execution of Amendment No. 3 to the contract through U.S. Communities Government Purchasing Alliance, Los Angeles County, CA with OFFICE DEPOT, Austin, TX, for office supplies, printer equipment and supplies, and office equipment in an amount not to exceed \$2,086,000, with two 12-month extension options in an amount not to exceed \$2,086,000 per extension option, for a revised total contract amount of \$8,483,101. (Funding in the amount of \$1,216,833.38 is available in the Fiscal Year 2004-2005 Approved Operating Budgets for all City departments. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.)

#### **Watershed Protection and Development Review**

43. Approve an ordinance on second/third reading amending Chapter 25-10 of the City Code relating to nonconforming signs to allow location of new off-premise signs (billboards) in various locations in the City if an existing off-premise sign is removed. (Planning Commission voted for no change to the current code.)

#### **ITEMS FROM COUNCIL**

44. Board and Commission appointments.

45. Approve a resolution establishing the 'I-35 Makeover Steering Committee' as the official designated community stakeholder group for the I-35 Makeover project. (Council Member Raul Alvarez and Council Member Brewster McCracken)
46. Approve an ordinance waiving certain fees and payment of certain costs for a free movie screening hosted by the City of Austin and South by Southwest, to be held on March 16, 2005, Republic Square Park. (Mayor Will Wynn and Mayor Pro Tem Jackie Goodman)
47. Approve the waiver of the permit fee under Chapter 14-11 of the City Code for the American Lung Association Asthma Walk to be held on March 26, 2005 at Fiesta Gardens. (Council Member Betty Dunkerley and Council Member Brewster McCracken)
48. Approve a resolution directing the City Manager to develop a program to create incentives to encourage the future purchase of flexible-fuel plug-in hybrid vehicles by Austin Energy customers. (Mayor Will Wynn and Mayor Pro Tem Jackie Goodman)

**Item(s) to Set Public Hearing(s)**

49. Set a public hearing to approve using approximately 1.265 acres for a wastewater line, 0.245 acres for a lift station, and 2.618 acres for temporary work space to construct, use, maintain, repair, and replace a wastewater line in a tunnel for construction of the Barton Creek Lift Station Relief Main-Section 2 through dedicated parkland known as Butler Shores Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: April 7, 2005 at 6:00 p.m. City Hall Council Chambers) (All costs associated with the construction, as well as any parkland mitigation and restoration, will be paid by the requestor.) (Recommended by Parks Board.) (Related Item 50)
50. Set a public hearing to approve using approximately 0.262 acres for a wastewater line and 0.870 acres for temporary work space to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Govalle 1 - South 2nd Street & East Bouldin Creek Relief Interceptor through dedicated parkland known as Town Lake Park, and in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: April 7, 2005 at 6:00 p.m. City Hall Council Chambers) (All costs associated with the construction, as well as any parkland mitigation and restoration, will be paid by the requestor.) (To be reviewed by the Parks Board on 3/22/05.) (Related Item 49)

51. Set a public hearing to receive comment regarding the proposed modifications to the Urban Renewal Plan for the East 11<sup>th</sup> and 12<sup>th</sup> Streets Urban Renewal Area. (Suggested date and time: April 7, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street.) (Proposed modifications recommended by Urban Renewal Board and the Planning Commission.)

**12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL**

Scott Durgin - Planned Expansion of the South Austin Tennis Center

Sara Strandtman - South Austin Park

Jessica Gordon - Expansion of South Austin Park, including the Tennis Center

Johnette Mason - Map Card - Co-Payments are too high and prescriptions are unaccessible if you have no money.

Pat Johnson - Living with HIV - dying from AIDS.

Kathryn Kawazoe - Saving South Austin Park

Betty Edgemon - The trials and tribulations of a stolen vehicle

Jennifer L. Gale - Selling power (wind, solar) back to our utility - Austin Energy

Harry O'Steen - Water & Wastewater completing contract

Steven Coursen - South Austin Park & Tennis Center

**EXECUTIVE SESSION (No Public Discussion On These Items)**

**Private Consultation with Attorney - Section 551.071**

52. Discuss legal issues related to Collective Bargaining with the Austin Association of Professional Fire Fighters.
53. Discuss legal issues concerning easements needed from Austin Country Club for the Loop 360 Lift Station Project and related issues. (Related Item 63)
54. Discuss legal issues concerning proposed legislation in the 79<sup>th</sup> Legislative Session.

55. Discuss legal issues raised by a ruling in the *Save Our Springs Alliance, Inc. v. Village of Bee Cave, et. al.* lawsuit. (concerns the constitutionality of a Chapter 380 Economic Development Agreements)
56. Discuss legal issues regarding Cause No. GV-400101; *City of Sunset Valley, Save Our Springs, et al. v. City of Austin and Lowe's*; in the 201<sup>st</sup> Judicial District of Travis County, Texas. (concerns a challenge to the Garza Brodie agreement by which the Lowe's litigation was resolved) (Related Item 64)
57. Discuss legal issues in Cause No. GN103302; *F.L. Vivion, N.K. Ballard, L.I. Ballard and all other Parties similarly situated v. The City of Austin*; in the 261st Judicial District; Travis County, Texas. (concerns the City transportation user fee and drainage fee)
58. Discuss legal issues regarding an interlocal agreement between the City of Austin and the City of Sunset Valley regarding potential improvements to the intersection of William Cannon and Brodie Lane. (Related Item 65)
59. Discuss legal issues regarding the exchange, lease, sale, and value of certain real property located in eastern Travis County managed by Austin Energy and purchased using tax exempt bonds. (Related Item 60)

#### **Real Property - Section 551.072**

60. Discuss the exchange, lease, sale, and value of certain real property located in eastern Travis County managed by Austin Energy and purchased using tax exempt bonds. (Related Item 59)
61. Discuss the sale, lease, or value of the Seaholm Power Plant property located on Cesar Chavez between Lamar Boulevard and Guadalupe Street west of the Green Water Treatment Plant and of Block 21 (bounded by Second Street, Guadalupe Street, Third Street, and Lavaca Street).
62. Discuss the lease or value of the new City Hall Café space to a food service vendor.

#### **Action on Executive Session**

63. Authorize negotiation and execution of a settlement with Austin Country Club, including related documents, funding and fee waivers.(Related Item 53)

64. Authorize negotiation and execution of a settlement agreement in Cause No. GV-400101; *City of Sunset Valley, Save Our Springs, et. al. v. City of Austin and Lowe's*; in the 201<sup>st</sup> Judicial District, Travis County, Texas. (concerns a challenge to the Garza Brodie agreement by which the Lowe's litigation was resolved) (Related Item 56)
65. Approve negotiation and execution of an interlocal agreement between the City of Austin and the City of Sunset Valley regarding potential improvements to the intersection of William Cannon and Brodie Lane.(Related Item 58)

### **2:00 PM BRIEFINGS**

66. Status report of closed landfills and tank farms within the City of Austin.

**3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.** The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene.

- AHFC- 1 Approve the minutes of the December 16, 2004 Board meeting of the Austin Housing Finance Corporation.
- AHFC- 2 Authorize the negotiation and execution of a Community Housing Development Organization forgivable loan, in an amount not to exceed \$190,000, to AUSTIN HABITAT FOR HUMANITY for the acquisition of not fewer than seven vacant lots for the construction of single-family homes for low- and moderate-income, first-time homebuyers. (Funding is available in HOME grant funds Year 13 and allocated in the Fiscal Year 2004-2005 budget of Austin Housing Finance Corporation.)
- AHFC- 3 Authorize the negotiation and execution of a Rental Housing Development Assistance Program deferred-payment forgivable loan in an amount not to exceed \$181,717 to UNITED CEREBRAL PALSY OF TEXAS, or its affiliate, for the acquisition of six units of affordable rental housing at 1201 Grove Boulevard for persons with disabilities. (Funding is available in Community Development Block Grant funding or HOME funding in the Fiscal Year 2004-2005 Austin Housing Finance Corporation budget allocation under the Rental Housing Development Assistance Program.)

**4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS****Zoning Ordinances / Restrictive Covenants**

67. C14-04-0183 - Escalon at Canyon Creek Apartments - Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally know as 9715 and 9901 R.M. 620 North (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to multi-family residence low density-conditional overlay (MF-2-CO) combining district zoning. Conditions met as follows: Conditional overlay incorporates the conditions imposed as first ordinance reading. First reading on January 27, 2005. Vote: 6-0, Dunkerley was absent. Applicant: A.G. S. The Spanos Corporation (Jim Norman). Agent: Huffcut & Associates, Inc. (Mike Wilson). City Staff: Sherri Sirwaitis, 974-3057.
68. C14-04-0189 - Superior Service Company - Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally know as 2020 West Howard Lane (Walnut Creek Watershed) from community commercial (GR) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. Conditions met as follows: Conditional overlay incorporates the conditions imposed at first ordinance reading. First reading on February 10, 2005. Vote: 7-0. Applicant: Superior Service Company (Robert Dale Steenrod). Agent: Holt Planners (David Holt, Jr.). City Staff: Sherri Sirwaitis, 974-3057.
69. C14H-04-0027 – Brown-Ledel-Silverman House - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 609 West Lynn Street from multi-family residence, neighborhood plan (MF-4-NP) district to multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multi-family residence, neighborhood plan - Historic (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454. Note: A valid petition has been filed by the property owner in opposition to this rezoning request.

70. C14-04-0071 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 8423 State Highway 71 West. (Williamson Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Council approved limited office-conditional overlay (LO-CO) combining district zoning at Second ordinance reading. Conditions met as follows: Conditional overlay incorporates the conditions imposed at second ordinance reading. Second reading on December 16, 2004. Vote: 6-0, McCracken off the dais. First reading on September 2, 2004. Vote: 7-0. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775.

### **Zoning Hearings and Approval of Ordinances / Restrictive Covenants**

- Z- 1 C14-04-0149.07 – Old West Austin Neighborhood Plan rezoning for 1215 W. 9th Street. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1215 W. 9th Street (Town Lake Watershed) from multi-family residence moderate high density - neighborhood plan (MF-4 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Josue & Marcelina Quintanilla. Agent: City of Austin, Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.
- Z- 2 C14-04-0149.10 – Old West Austin Neighborhood Plan rezoning for 1607 W. 9th Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1607 W. 9th Street (Town Lake Watershed) from multi-family residence moderate high density - neighborhood plan (MF-4 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Michael & Jan Wilson. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755

- Z- 3            C14-04-0149.12 – Old West Austin Neighborhood Plan rezoning for 1700 Palma Plaza. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1700 Palma Plaza (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Lila Anne Parker. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755
- Z- 4            C14-04-0149.13 – Old West Austin Neighborhood Plan rezoning for 1613 Palma Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1613 Palma Plaza (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: John Guffey Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755
- Z- 5            C14-04-0149.14 – Old West Austin Neighborhood Plan rezoning for 1505 Palma Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1505 Palma Plaza (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Robert Cuthbertson. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755

- Z- 6            C14-04-0149.15 – Old West Austin Neighborhood Plan rezoning for 1707 Palma Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1707 Palma Plaza (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Hubert Gill. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755
- Z- 7            C14-04-0149.16 – Old West Austin Neighborhood Plan rezoning for 1509 Palma Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1509 Palma Plaza (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Hubert Gill. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755
- Z- 8            C14-04-0149.17– Old West Austin Neighborhood Plan rezoning for 702 Highland Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 702 Highland Avenue (Town Lake Watershed) from multi-family residence moderate high density - neighborhood plan (MF-4 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Stephen & Stephanie Schuster. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.

- Z- 9            C14-04-0149.20– Old West Austin Neighborhood Plan rezoning for 612 Highland Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 612 Highland Avenue (Town Lake Watershed) from multi-family residence moderate high density - neighborhood plan (MF-4 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Brian Bayerdorfer. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.
- Z- 10           C14-04-0149.26– Old West Austin Neighborhood Plan rezonings for 706 & 708 Highland Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 706 & 708 Highland Avenue (Town Lake Watershed) from multi-family residence moderate high density - neighborhood plan (MF-4 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: 706 Highland Avenue – Jeffrey & Vanessa Sigafos, 708 Highland Avenue – Paul Reyes. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.
- Z- 11           C14-04-0149.28– Old West Austin Neighborhood Plan rezoning for 800 West Lynn Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West Lynn Street (Town Lake Watershed) from multi-family residence moderate high density - neighborhood plan (MF-4 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: George & Rosemary Warmingham. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.

- Z- 12            C14-04-0149.43– Old West Austin Neighborhood Plan rezoning for 615 West Lynn Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 615 West Lynn Street (Town Lake Watershed) from multi-family residence moderate high density - neighborhood plan (MF-4 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Steve & Betty Colburn. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.
- Z- 13            C14-04-0149.44– Old West Austin Neighborhood Plan rezonings for 900 West Lynn Street & 1602 West 9th Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900 West Lynn Street & 1602 West 9th Street (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Jay Irick. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.
- Z- 14            C14-04-0149.47– Old West Austin Neighborhood Plan rezoning for 1503 Palma Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1503 Palma Plaza (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3 -NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Harris Schell. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.

- Z- 15            C14-04-0207 - ECO Resources / 620 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9511 North R.M. 620 Road (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to public (P) and general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant public-conditional overlay (P-CO) combining district zoning for Tract 1, general office-conditional overlay (GO-CO) combining district zoning for Tract 2, and rural residence-conditional overlay (RR-CO) combining district zoning for Tract 3. Applicant: ECO Resources (Pat Reilly). Agent: Drenner Stuart Wolff Metcalfe Von Kreisler (Michele Rogerson Allen). City Staff: Sherri Sirwaitis, 974-3057.
- Z- 16            C814-99-0001.03 - Avery Ranch PUD, Amendment #3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Avery Ranch Boulevard at Parmer Lane (Brushy Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning.. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) amendment. Applicant: Pebble Creek Joint Venture (Edward Rathgeber, President), Developers of Avery Ranch (Robert D. Wunsch), Continental Homes of Texas, L.P. (Richard Maier). Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Gager, 974-3057
- Z- 17            C814-99-0001(RCA) - Avery Ranch PUD Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as Avery Ranch at Parmer Lane (Brushy Creek Watershed) . Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Applicant: Pebble Creek Joint Venture (Edward R. Rathgeber, President), Continental Homes of Texas, L.P. (Richard Maier), Rathgeber Investment Company, Ltd. (Edward R. Rathgeber, Jr.), Developers of Avery Ranch (Robert D. Wunsch, President). Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Gager, 974-3057.
- Z- 18            C14-04-0201 - 12503 Tomanet Trail - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12503 Tomanet Trail (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence large lot (SF-1) district zoning. Applicant: Think Giang. City Staff: Sherri Sirwaitis, 974-3057.

- Z- 19            C14-04-0140 - Swafford - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2108 Kinney Avenue (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to neighborhood office-conditional overlay (NO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (NO-CO) combining district zoning. Applicant: Clarence Jacobson. Agent: Crocker Consultants (Sarah Crocker). City Staff: Tom Bolt, 974-2755.

### **5:30 P.M. LIVE MUSIC AND PROCLAMATIONS**

#### **LIVE MUSIC**

Bob Wills 100th Birthday Celebration with Ray Benson and Friends

#### **PROCLAMATIONS**

Proclamation - Small Business Development - Starting a Retail Business Seminar - to be presented by Mayor Will Wynn and to be accepted by Sue Edwards and Rosy Jalifi

Proclamation - Austin is StormReady - to be presented by Mayor Will Wynn and to be accepted by Steve Collier, Larry Eblen and Ed Schaefer

Proclamation - Black Church Week of Prayer for the Healing of AIDS - to be presented by Mayor Will Wynn and to be accepted by Ratonia Runnels

#### **6:00 P.M. BRIEFING**

71. Briefing on Commercial Design Standards for development and construction of commercial sites to be implemented through changes to the City Code.

**6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION****Neighborhood Planning and Zoning**

72. Conduct a public hearing for the full purpose annexation of the Rosemont at Old Manor Area (Approximately 23 acres in Travis County south of US Highway 290 East, east of the abandoned Missouri Kansas Texas (MKT) Railroad and north of Old Manor Road). (Related Items 73, 74)
73. Conduct a public hearing for the full purpose annexation of the Pioneer Hill/COA Tract (Approximately 42 acres in Travis County west of Criswell approximately 1,430 feet west of the intersection of Criswell and Sprinkle Road). (Related Items 72, 74)
74. Conduct a public hearing for the full purpose annexation of the Avery Ranch Area (Approximately 62 acres in Williamson County, approximately 2,000 feet north of the intersection of Avery Ranch Blvd and Lisi Anne Drive). (Related Items 72, 73)
75. Conduct a public hearing for the limited purpose annexation of the Goodnight Ranch Area (Approximately 714 acres in Travis County east of Old Lockhart Highway approximately one tenth of a mile east of the intersection of Slaughter Lane and Old Lockhart Highway).
76. Conduct a public hearing and approve proposed design standards for commercial and retail development. (To be reviewed by Design Commission on 3/14/05, Zoning and Platting Commission on 3/15/05, and Planning Commission on 3/22/05.)

**ADJOURN**

**THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.**

**A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office not later than two hours before the scheduled time of the item on which the person wishes to speak. Please call 974-3256 in advance or inform the City Clerk's staff present at the council meeting.**

**Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de dos horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-3256 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.**

Council Meetings

January 13, 2005  
January 27, 2005

February 3, 2005  
February 10, 2005  
February 17, 2005

March 3, 2005  
March 10, 2005  
March 24, 2005

April 7, 2005  
April 14, 2005  
April 28, 2005

May 12, 2005  
May 19, 2005  
May 26, 2005

June 9, 2005  
June 23, 2005

July 28, 2005

August 4, 2005  
August 18, 2005  
August 25, 2005

September 1, 2005  
September 12,13,14  
(Budget Readings)  
September 29, 2005

October 6, 2005  
October 20, 2005  
October 27, 2005

November 3, 2005  
November 17, 2005

December 1, 2005  
December 15, 2005

Cancelled Meetings

January 6, 2005

January 20, 2005

February 24, 2005

March 17, 2005  
March 31, 2005

April 21, 2005

May 5, 2005

June 2, 2005  
June 16, 2005  
June 30, 2005

July 7, 2005  
July 14, 2005  
July 21, 2005

August 11, 2005

September 8, 2005

September 15, 2005  
September 22, 2005

October 13, 2005

November 10, 2005  
November 24, 2005

December 8, 2005  
December 22, 2005  
December 29, 2005